

108TH CONGRESS  
1ST SESSION

# S. 800

To prevent the use of a misleading domain name with the intent to deceive  
a person into viewing obscenity on the Internet.

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IN THE SENATE OF THE UNITED STATES

APRIL 7, 2003

Mr. HATCH introduced the following bill; which was read twice and referred  
to the Committee on the Judiciary

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## A BILL

To prevent the use of a misleading domain name with the  
intent to deceive a person into viewing obscenity on the  
Internet.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       The Act may be cited as the “Truth in Domain  
5       Names Act of 2003”.

6       **SEC. 2. FALSE OR MISLEADING DOMAIN NAMES ON THE**  
7       **INTERNET.**

8       (a) IN GENERAL.—Chapter 110 of title 18, United  
9       States Code, is amended by inserting after section 2252A  
10      the following:

1 **“§ 2252B. False or misleading domain names on the**  
2 **Internet**

3 “(a) Whoever knowingly uses a misleading domain  
4 name with the intent to deceive a person into viewing ob-  
5 scenity on the Internet shall be fined under this title or  
6 imprisoned not more than 2 years, or both.

7 “(b) Whoever knowingly uses a misleading domain  
8 name with the intent to deceive a minor into viewing mate-  
9 rial that is harmful to minors on the Internet shall be  
10 fined under this title or imprisoned not more than 4 years,  
11 or both.

12 “(c) For the purposes of this section, a domain name  
13 that includes a word or words to indicate the sexual con-  
14 tent of the site, such as ‘sex’ or ‘porn’, is not misleading.

15 “(d) For the purposes of this section, the term ‘mate-  
16 rial that is harmful to minors’ means any communication  
17 that—

18 “(1) taken as a whole and with respect to mi-  
19 nors, appeals to a prurient interest in nudity, sex, or  
20 excretion;

21 “(2) depicts, describes, or represents, in a pat-  
22 ently offensive way with respect to what is suitable  
23 for minors, an actual or simulated sexual act or sex-  
24 ual contact, actual or simulated normal or perverted  
25 sexual acts, or a lewd exhibition of the genitals; and

1           “(3) taken as a whole, lacks serious literary, ar-  
2           tistic, political, or scientific value as to minors.”.

3           (b) CLERICAL AMENDMENT.—The table of sections  
4           at the beginning of chapter 110 of title 18, United States  
5           Code, is amended by inserting after the time relating to  
6           section 2252A the following new item:

          “2252B. False or misleading domain names on the Internet.”.

